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July 6, 2017

**VIA ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20054

**Re: *Promoting Spectrum Access for Wireless Microphone Operations*, GN Docket No. 14-166;**

*Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37, and Amendment of Part 74 of the Commission's Rules for Low Power Auxiliary Stations in the Repurposed 600 MHz Band and 600 MHz Duplex Gap, ET Docket No. 14-165*

***Ex parte* filing of Aerospace and Flight Test Radio Coordinating Council, Inc.**

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), the Aerospace and Flight Test Radio Coordinating Council, Inc. ("AFTRCC"), by its attorney, hereby submits this *ex parte* communication to request clarification on one issue in the Commission's draft Order on Reconsideration and Further Notice of Proposed Rulemaking ("Draft Reconsideration Order") made available for public inspection on June 22, 2017.<sup>1</sup> As set forth in the August 2015 *Report and Order* in this proceeding,<sup>2</sup> AFTRCC will coordinate any

<sup>1</sup> FCC-CIRC1707-08.

<sup>2</sup> *Promoting Spectrum Access for Wireless Microphone Operations; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN

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proposed wireless microphone operations in the 1434-1525 MHz band to ensure that wireless microphones do not present a threat of harmful interference to primary aeronautical mobile telemetry (“AMT”), or flight test, operations in the band. Specifically, the Commission required that “[w]ireless microphone use in the band must be coordinated with the non-governmental coordinator for assignment of flight test frequencies in the band (i.e., AFTRCC), and authentication and location verification will be required before a coordinated wireless microphone begins operation.”<sup>3</sup> Further, Section 74.803(d) of the Commission’s rules was added by the *Report and Order* to require that Part 74 Low Power Auxiliary Station (“LPAS”) devices, i.e., wireless mikes, “must . . . employ software-based controls or similar functionality to prevent devices in the band from operating except in the specific channels, locations, and time periods that have been coordinated [with AFTRCC], and be capable of being tuned to any frequency in the band.”<sup>4</sup>

In the *Draft Reconsideration Order*, there is language which, if adopted, would enable video production companies and “similar entities” to be able to continue to avail themselves of request for special temporary authority (“STA”) in the 1435-1525 MHz bands to support video production activities.<sup>5</sup> Such requests for STA require prior coordination with AFTRCC. Further, the *Draft Reconsideration Order* would confirm that only 30 megahertz of spectrum will be available to a wireless microphone user in the 1435-1525 MHz band at a particular location, although “[i]n those few extraordinary instances in which a particular licensed wireless microphone user can demonstrate that access to more than 30 megahertz of this band for a specified event is merited, the STA process remains available for addressing those needs.”<sup>6</sup>

Consequently, the *Draft Reconsideration Order* would “reject Shure’s request that [the Commission] eliminate use of STAs in this band for either wireless microphone or video production operations,” and would confirm that “both professional wireless microphone users and professional video production services may seek access to spectrum in the 1435-1525 MHz band through STAs in the same general location or area.”<sup>7</sup> AFTRCC does not object to this outcome since the Commission explains that any request for STA will have to be

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Docket Nos. 14-166, 12-268, Report and Order, 30 FCC Rcd 8739, 8749 (2015) (“Report and Order”).

<sup>3</sup> *Id.* at §118.

<sup>4</sup> 47 C.F.R. §74.803(d).

<sup>5</sup> *Draft Reconsideration Order*, at §66.

<sup>6</sup> *Id.* at §68.

<sup>7</sup> *Id.* at §72.

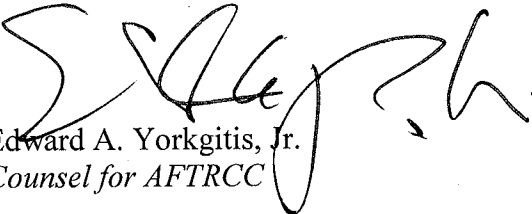
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coordinated by AFTRCC in advance to ensure that there is no danger of harmful interference to flight test operations. However, to remove any ambiguity, given AFTRCC's role as coordinator, AFTRCC asks the Commission to clarify the *Draft Reconsideration Order* by stating that, for entities seeking STAs for wireless microphone operation in the 1435-1525 band, the devices they propose to operate under the STAs must adhere to the same software controls and other requirements as set forth for regular licenses under Section 74.803(d) of the Rules.<sup>8</sup> This clarification will remove any doubt whether those integrated controls that the Commission correctly concluded are necessary to protect flight test operations from harmful interference that otherwise could be caused by wireless microphones are equally applicable to wireless microphone STA operations as well. The clarification AFTRCC seeks will further help guide wireless microphone users, when seeking STAs, to make the showings necessary to seek coordination with AFTRCC. This would make the coordination process that much more efficient for all.

If there are any questions regarding the forgoing, please do not hesitate to contact the undersigned.

Respectfully submitted,



Edward A. Yorkgitis, Jr.  
Counsel for AFTRCC

cc: Alison Nemeth, Esq., Office of the Chairman  
Rachael Bender, Esq., Office of the Chairman  
Daudeline Meme, Esq., Office of Commissioner Clyburn  
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<sup>8</sup> AFTRCC anticipates, based on the statements in the *Report and Order* that the Commission will be providing "further details" on matters related to wireless microphones' integration of "software-based controls or similar functionality to prevent devices from operating in the band except in the specific channels coordinated with AFTRCC for any given location," that the FCC Lab will be providing guidance to Telecommunications Certification Bodies and equipment manufacturers and other applicants for equipment authorization how those requirements are to be demonstrated by and authenticated for wireless microphones designed for the 1435-1525 MHz band. See *Report and Order* at §§ 119-120.